



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU APPROVES TRANSITION OVERSIGHT PLAN FOR NEXT LNPA; ANNOUNCES FIRST TRANSITION OUTREACH WEBCAST

WC Docket No. 07-149
WC Docket No. 09-109
CC Docket No. 95-116

On August 31, 2015, the North American Portability Management LLC (NAPM LLC) filed a revised Transition Oversight Plan (Transition Plan or TOP) to help guide the process of transitioning to the next Local Number Portability Administrator (LNPA). On October 29, 2015, the NAPM LLC filed an updated Transition Outreach and Education Plan (TOEP), which is appended to the Transition Plan as Attachment 5. By this Public Notice, and as fully discussed below, the Wireline Competition Bureau (Bureau) approves the revised Transition Plan and announces the first transition outreach webcast.

On March 26, 2015, the Commission adopted an Order accepting a recommendation from the North American Numbering Council, in coordination with the NAPM LLC, to select Telcordia d/b/a iconectiv (Telcordia) as the next LNPA. The Commission conditionally accepted that recommendation subject to certain conditions and subject to its approval of the contract between the NAPM LLC and Telcordia.¹ One condition required by the Commission is that the NAPM LLC file a Transition Plan for approval by the Bureau.²

On April 27, 2015, the NAPM LLC filed an initial Transition Plan,³ on which the Bureau sought comment.⁴ Twelve parties filed comments or replies addressing the initial TOP.⁵ The commenters asked

¹ *Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration et al.*, WC Docket No. 07-149 et al., Order, 30 FCC Rcd 3082 (2015).

² *Id.* at paras. 158-59.

³ Letter from Todd D. Daubert, Counsel to the NAPM LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 07-149 and 09-109, CC Docket No. 95-116, Attach. (filed Apr. 27, 2015).

⁴ *Wireline Competition Bureau Seeks Comment on the North American Portability Management LLC's Transition Oversight Plan for Local Number Portability Administrator Contract*, WC Docket Nos. 07-149 and 09-109, CC Docket No. 95-116, Public Notice, 30 FCC Rcd 4646 (Wireline Comp. Bur. 2015).

⁵ The following parties filed comments and/or reply comments on the initial TOP: Nebraska Public Service Commission (Comments); NTCA—The Rural Broadband Association (Comments); John Staurulakis, Inc. (Comments); LNP Alliance (Comments and Reply); Competitive Carriers Association (CCA) (Comments); COMPTel (Reply); NARUC (Reply); Telcordia Technologies, Inc. d/b/a iconectiv (Reply); Syniverse Technology (Reply); CCA, Open Technology Institute at New America, and Public Knowledge (Joint Reply); ITTA—The Voice of Mid-Size Communications Carriers (Reply); and Neustar, Inc. (Reply).

that the transition process be open and transparent, with Commission oversight, and that the process include all stakeholders, specifically small carriers, consumers, and state regulators. In addition, the commenters asked that the transition process include adequate testing, cost controls, and benchmarks/penalties.

On August 31, 2015, the NAPM LLC refiled its Transition Plan,⁶ amending it in response to comments filed and including a new TOEP.⁷ According to the NAPM LLC, the revised TOP “describes the oversight structure and methodology, risk management, timelines, performance benchmarks and incentives, dispute resolution, testing, stakeholder outreach and education, and steps to ensure security and reliability.”⁸ Later, on October 29, 2015, the NAPM LLC filed an updated TOEP⁹ and the NAPM LLC is working with the Transition Oversight Manager to implement that plan. As stated in the Updated TOEP, its objectives are to provide transparency in the LNPA transition, provide an open forum to gather and understand the concerns of interested parties, and incorporate that feedback into the Transition Plan.¹⁰ The Updated TOEP lists as its audiences the following interested parties: large and small service providers, service bureaus and providers of telecommunications-related services, law enforcement agencies, telemarketers, regulators, trade associations, vendors, and consumer groups.¹¹

In addition, the Updated TOEP sets forth the various communication and outreach channels to be used by the Transition Oversight Manager, such as webcasts, emails, and surveys, and sets forth the frequency of outreach, the key activities, how these items will be publicized, and the next steps in the transition process.¹² The Transition Oversight Manager has scheduled the first in a series of LNPA transition outreach webcasts to keep interested parties informed about the upcoming LNPA transition, in accordance with the Updated TOEP. **The first transition outreach webcast is scheduled for December 9, 2015, from 3:00-4:00 pm, Eastern Standard Time.** Interested parties may register for the webcast by visiting: <https://event.webcasts.com/starthere.jsp?ei=1084375>.

The Bureau has reviewed the NAPM LLC’s revised Transition Plan, as well as the Updated TOEP. Based on that review, we conclude that those plans outline reasonable steps that the NAPM LLC will take in the transition to a new LNPA, including the involvement of interested stakeholders in that transition. We therefore approve the re-filed August 31 Transition Oversight Plan, including the updated October 29 Transition Outreach and Education Plan. The NAPM LLC notes that it will update the TOP, as appropriate, and will publish any updates on the public portion of the NAPM LLC’s website as changes to the TOP are made.¹³ The Bureau requires that the NAPM LLC file any such updates in the above-referenced dockets.

⁶ Letter from Todd D. Daubert, Counsel to the NAPM LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 07-149 and 09-109, CC Docket No. 95-116 (filed Aug. 31, 2015) (Updated TOP).

⁷ Updated TOP, Attach. 5.

⁸ Updated TOP at 1.

⁹ Letter from Todd D. Daubert, Counsel to the NAPM LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 07-149 and 09-109, CC Docket No. 95-116 (filed Oct. 29, 2015) (Updated TOEP).

¹⁰ *Id.* at 2.

¹¹ *Id.* at 3.

¹² *Id.* at 4-6, 8.

¹³ NAPM LLC, LNPA Transition Reference Documents, https://www.napmllc.org/pages/npacrfp/npacRFP_RefDocs.aspx (last visited Nov. 25, 2015).

Ex Parte Presentations. This proceeding shall continue to be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules and other relevant Bureau guidance. In a Public Notice released on August 18, 2015, the Bureau modified the applicability of the Commission’s ex parte rules to this proceeding in certain respects.¹⁴ As further explained in that Public Notice, the Bureau determined that “the critical public safety and national security issues and the importance of a seamless and timely transition” justified modifications to the ex parte rule treatment of communications and meetings related to certain issues being addressed in this proceeding, including “the transition of the LNPA and related stakeholder outreach, education, and database testing” issues.¹⁵ Consequently, parties should consult the *LNPA Ex Parte Status PN* to determine if planned ex parte presentations are subject to the modified procedures discussed therein, or the Commission’s standard ex parte rules. Parties should be aware that, to the extent that they make presentations to (i) Commission decision makers, (ii) the NAPM LLC, or (iii) the Transition Oversight Manager, beyond the subjects specified in the *LNPA Ex Parte Status PN*, the Commission’s filing requirements for “permit-but-disclose” proceedings under section 1.1206 of the Commission’s rules apply.

Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

For further information, contact Michelle Sclater or Marilyn Jones, Competition Policy Division, Wireline Competition Bureau at (202) 418-0388 (Michelle) or Michelle.Sclater@fcc.gov, or (202) 418-2357 (Marilyn) or Marilyn.Jones@fcc.gov.

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¹⁴ *Notice Concerning Ex Parte Status of Communications with Respect to the Local Number Portability Administrator Selection Proceeding*, WC Docket Nos. 07-149 and 09-109, CC Docket No. 95-116, Public Notice, 30 FCC Rcd 8425 (Wireline Comp. Bur. 2015) (*LNPA Ex Parte Status PN*).

¹⁵ *Id.* at 8426.